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EXAMINER

CHEN, SHIN HON

ART UNIT PAPER NUMBER

2131

DATE MAILED: 11/03/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/650,218

Applicant(s)

AVERY ET AL.

Examiner

Shin-Hon Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 and 26-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 and 26-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☒ Claim(s) 31-35 are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. Claims 1-19, 26-30 have been examined.

#### ***Election/Restrictions***

2. Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 31-35 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Newly submitted claims 31-35 directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: The original claims 1-19, and 26-30 focuses on access control based on biometric acquisition, which belongs to class 713/186. The newly added claims focuses on business method of allocating resources or scheduling for an administrative function and staff scheduling or task assignment, which belongs to 705/8. In this instance, the newly submitted claims 31-35 have separate functions such as tracking location of a member and generating and updating case assignment.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-3, 6, and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Puchek et al. U.S. Pat. No. 6496595 (hereinafter Puchek) in view of Gravlin U.S. Pat. No. 6353853 (hereinafter Gravlin).

5. As per claim 1, 26, and 27, Puchek discloses an Internet co-location facility security system, comprising:

- a. Plurality of biometrics readers (Puchek: column 5 line 63 – column 6 line 17);
- b. An access control system coupled to the plurality of biometrics readers (Puchek: column 6 line 44 – column 7 line 40);
- c. A computer including a central software program connected to the access control system, the central software program configured to monitor the use of the plurality of biometrics readers (Puchek: column 6 line 44 – column 7 line 40);
- d. A server including a database connected to the central software program, the database configured to receive information from the central software program regarding the use of the plurality of biometrics readers (Puchek: column 7 lines 21-40 and column 9 line 40 – column 10 line 40).

However, Puchek does not explicitly disclose

- e. Transmit this information to co-located members through the Internet; and
- f. A web-based interface configured to allow co-located members to schedule visits to the facility through the Internet to the database on the server.

However, Gravlin discloses these limitations (Gravlin: column 1 lines 6-64 and column 2 line 32 – column 3 line 13: enable authorized users to monitor, control, configure, and interact with he

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BAS...time of day scheduling for the facility... enabled to locally or remotely manage). Since the Puchek discloses the monitoring information and access control information can be transmitted to database/server through Internet and use for statistic or other purposes, the monitoring information obtained from the access control system can be downloaded by the server and transmitted to web-based remote clients to control and manage building remotely for reasons as building maintenance and security purposes. It would have been obvious to one having ordinary skill in the art to combine the teachings of Gravlin within the system of Puchek because it allows authorized users to monitor and control a building remotely through Internet and cut down the cost of security personnel.

6. As per claim 2 and 28, Puchek as modified discloses the Internet co-location facility security system of Claim 1 and 26 respectively. Puchek further discloses including an input device coupled to each of the plurality of biometrics readers for entry of a visitor identification code of a visitor, a match between the visitor identification code and the visitor's personal identification characteristics triggering the access control system to allow the visitor to gain access to designated areas in the facility (Puchek: column 2 lines 4-18 and column 5 lines 7-20).

7. As per claim 3 and 29, Puchek as modified discloses the Internet co-location facility security system of Claim 2. Puchek further discloses wherein the access control system further includes a transmitter for transmitting the information regarding the use of the plurality of biometrics readers to the central software program, the information regarding the use of the plurality of biometrics readers including the visitor identification code and the date and time the

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visitor used one or more of the plurality of biometrics readers (Puchek: column 9 line 62 – column 10 line 40).

8. As per claim 6, Puchek as modified discloses the Internet co-location facility security system of Claim 1. Puchek further discloses including a front entrance biometrics reader for initial access to the facility, the use of the front entrance biometrics reader triggering the central software program to transmit information regarding the use of the front entrance biometrics reader to a lobby workstation (Puchek: column 8 lines 18-56).

9. Claims 4, 5, 7-10, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Puchek in view of Gravlin and further in view of Daigneault et al. U.S. Pub. No. US20020029349 (hereinafter Daigneault).

10. As per claim 4, Puchek as modified discloses the Internet co-location facility security system of Claim 1. Puchek as modified does not explicitly disclose wherein information regarding the scheduled visits transmitted by the co-located members through the Internet to the database on the server includes the date, time, expected duration of a scheduled visit, and a visit identification number for the scheduled visit. However, Daigneault discloses that limitation (Daigneault: [0002]-[0005]). It would have been obvious to one having ordinary skill in the art to combine the teachings of Daigneault within the combination of Puchek because it allows the access control system to not only authenticate users based on biometric parameters but also on schedules.

11. As per claim 5, Puchek as modified discloses the Internet co-location facility security system of Claim 1. Puchek as modified does not explicitly disclose wherein the server further includes a transmitter for transmitting information regarding the scheduled visits to the central software program through a network. However, Daigneault discloses that limitation (Daigneault: [0002]-[0005]). Same rationale applies here as above in rejecting claim 4.

12. As per claim 7, Puchek as modified discloses the Internet co-location facility security system of Claim 1. Puchek as modified does not explicitly disclose including a user interface for triggering the central software program to combine a visitor identification code with a visit identification number for the scheduled visit. However, Daigneault discloses that limitation (Daigneault: [0009]-[0013]). It would have been obvious to one having ordinary skill in the art to combine the teachings of Daigneault within the combination of Puchek-Gravlin because it allows the system to authenticate the user according to his/her identification along with the schedule to allow access.

13. As per claim 8, Puchek as modified discloses the Internet co-location facility security system of Claim 7. Puchek as modified further discloses wherein the user interface authorizes a visitor to progress through the remainder of the facility using the plurality of biometrics readers (Puchek: column 5 line 63 – column 6 line 17: plurality of local access control system; Daigneault: [0002]-[0013]).

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14. As per claim 9, Puchek as modified discloses the Internet co-location facility security system of Claim 1. Puchek as modified further discloses wherein information regarding the use of the plurality of biometrics readers is transmitted by the central software program through the network to the database on the server (Puchek: column 9 line 62 – column 10 line 40). Puchek as modifies does not explicitly disclose the information including a visitor identification code, a visit identification number for the scheduled visit, and the date and time a visitor used any one of the plurality of biometrics readers. However, Daigneault discloses that limitation (Daigneault: [0002]-[0013]). Same rationale applies here as above in rejecting claim 7.

15. As per claim 10, Puchek as modified discloses the Internet co-location facility security system of Claim 9. Puchek as modified further discloses wherein the co-located members may access the information in the database regarding a visitor's use of the plurality of biometrics readers by using the web-based interface accessible from one or more remote computer terminals connected to the Internet (Gravlin: column 1 lines 6-64 and column 2 line 32 – column 3 line 13). Same rationale applies here as above in rejecting claim 1.

16. As per claim 30, Puchek as modified discloses the Internet co-location facility security system of Claims 26. Puchek as modified further disclose the information transmitted to the database on the server where it is accessible to co-located members from one or more remote computer terminals connected to the Internet (Gravlin: column 1 lines 6-64; column 2 lines 32 – column 3 line 13). Puchek as modified does not explicitly disclose the central software program combines a visit identification number with the information regarding the use of the plurality of



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biometrics readers from the access control system. However, Daigneault discloses that limitation (Daigneault: [0009]-[0013]). Same rationale applies here as above in rejecting claim 7.

17. Claims 11-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Puchek in view of Gravlin and further in view of Schmitt et al. U.S. Pat. No. 5903225 (hereinafter Schmitt).

18. As per claim 11, Puchek discloses an Internet co-location facility security system, comprising:

- a. A computer including a central software program connected to the access control system, the central software program configured to monitor the use of the plurality of other biometrics readers (Puchek: column 5 line 63 – column 6 line 17 and column 6 line 44- column 7 line 40);
- b. A server including a database connected to the central software program, the database configured to receive information from the central software program regarding the use of the plurality of biometrics readers (Puchek: column 7 line 21-40 and column 9 line 40 – column 10 line 40).

Puchek does not explicitly disclose

- c. Transmitting this information to co-located members through the Internet;
- d. and a web-based interface configured to allow co-located members to schedule visits to the facility through the Internet to the database on the server.

However, Gravlin discloses that limitation (Gravlin: column 1 lines 6-64 and column 2 line 32 – column 3 line 13). The monitoring information obtained from the access control system can be

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downloaded by the server and transmitted to web-based remote clients for monitoring. It would have been obvious to one having ordinary skill in the art to combine the teachings of Gravlin within the system of Puchek because it allows authorized users to monitor and control a building remotely through Internet and cut down the cost of security personnel.

18. The combination of Puchek-Gravlin does not explicitly disclose an enrollment biometrics reader; and an access control system coupled the enrollment biometrics reader and to a plurality of other biometrics readers. However, Schmitt discloses that limitation (Schmitt: column 2 line 37 – column 3 line 57). It would have been obvious to one having ordinary skill in the art to combine the teachings of Schmitt within the combination of Puchek-Gravlin because it allows a person to access an area if that person is not already registered user by allowing on-site enrollment.

19. As per claim 12, Puchek as modified discloses the Internet co-location facility security system of Claim 11. Puchek as modified further discloses including an imaging device to record an image of a personal characteristic of a visitor not previously enrolled in the security system, the image of the personal characteristic stored on a storage device in the enrollment biometrics reader (Schmitt: column 2 line 37 – column 3 line 57). Same rationale applies here as above in rejecting claim 11.

20. As per claim 13, Puchek as modified discloses the Internet co-location facility security system of Claim 12. Puchek as modified further discloses including an input device coupled to the enrollment biometrics reader for matching a stored image of the visitor's personal

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characteristic with a visitor identification code entered into the enrollment biometrics reader through the input device (Puchek: column 2 lines 4-18).

21. As per claim 14, Puchek as modified discloses the Internet co-location facility security system of Claim 13. Puchek as modified further discloses wherein the enrollment biometrics reader transmits a stored image matched with a visitor identification code to the plurality of other biometrics readers located in the facility through a private security network (Puchek: column 2 lines 4-18 and column 4 line 63 – column 5 line 20).

22. As per claim 15, Puchek as modified discloses the Internet co-location facility security system of Claim 11. Puchek as modified further discloses wherein a visitor may be enrolled in the access control system by entering the visitor information into an input device coupled to the access control system (Schmitt: column 2 line 37 – column 3 line 57). Same rationale applies here as above in rejecting claim 11.

23. As per claim 16, Puchek as modified discloses the Internet co-location facility security system of Claim 11. Puchek as modified further discloses wherein a stored image matched with a visitor identification code from the enrollment biometrics reader and identification information from the access control system is download by the central software program, the central software program transmitting the information through the Internet to the database on the server (Puchek: column 9 line 62 – column 10 line 40).

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24. As per claim 17, Puchek as modified discloses the Internet co-location facility security system of Claim 16. Puchek as modified further discloses wherein the database transmits the information from the central software program through a network to a database on a server in one or more other facilities (Gravlin: column 1 lines 6-64 and column 2 line 32 – column 3 line 13). Same rationale applies here as above in rejecting claim 11.

25. As per claim 18, Puchek as modified discloses the Internet co-location facility security system of Claim 17. Puchek as modified further discloses wherein the database transmits the information through the network to an access control system and through a private security network to a plurality of biometrics readers in one or more other facilities, the information transmitted by the database automatically enrolling the visitor on the access control system and the plurality of biometrics readers in the one or more other facilities (Puchek: column 7 line 41 – column 8 line 17).

26. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Puchek in view of Gravlin and further in view of Schmitt and further in view of Daigneault.

27. As per claim 19, Puchek as modified discloses the Internet co-location facility security system of Claim 18. Puchek does not explicitly disclose wherein the visitor uses the plurality of other biometrics readers to gain access to designated areas in the facility, the information regarding the use of the plurality of other biometrics readers including the visitor identification code, a visit identification number, and the date and time the visitor used one or more of the

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plurality of other biometrics readers. However, Daigneault discloses that limitation (Daigneault: [0009]-[0028]). Same rationale applies here as above in rejecting claim 7.

***Response to Argument***

28. Applicant's arguments filed 9/7/2004 have been fully considered but they are not persuasive.

According to page 10 of applicant's response and amendment, the applicant states that Gravlin discloses an interface panel generated on a display of a client, that an authorized user can monitor, control, configure and interact with the BAS through its links or embedded HTML server using a mouse or other convenient input device to "select" the push buttons or other interface panel devices. The applicant argues that Gravlin does not disclose a web-based interface configured to allow co-located members to schedule visits to the facility through the Internet. However, Gravlin discloses HTML Client program can monitor, control, configure and interact with the BAS and also time of day scheduling for the facility (Gravlin: column 1 lines 18-40). Therefore, the combination of Puchek and Gravlin discloses the claimed limitation by enabling remote users to access, monitor, and control building operations and perform miscellaneous tasks through web-based interface and the monitored information and access information can be uploaded to database/server so that the information can be used by the authorized user to manage the building and other purposes. Since both references allow connections to be established in order to transfer data. Therefore, the references can be combined to discloses the claimed limitation.

***Conclusion***

29. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Karp et al. U.S. Pat. No. 6591242 discloses visit verification method and system by authenticating biometric information of visitor and keeping track of the location of the visitor.

Lim et al. U.S. Pat. No. 6370582 discloses method and system for providing cross-platform remote control, monitoring, and updating of a facility access controller.

Wewalaarachchi et al. U.S. Pat. No. 6477434 discloses method for the creation of personalized supervisory and control data acquisition systems for the management and integration of real-time enterprise-wide applications and systems.

Acimovic et al. U.S. Pat. No. 5517185 discloses building communication and control system.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shin-Hon Chen whose telephone number is (703) 305-8654. The examiner can normally be reached on Monday through Friday 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (703) 305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shin-Hon Chen  
Examiner  
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SC

  
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